IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 7TH NOVEMBER 2006 / 16TH KARTHIKA 1928

Bail Appl..No. 6098 of 2006

CRIME NO.281/2006 OF KAZHAKUTTOM POLICE STATION

.....

: PETITIONER/2ND ACCUSED

ABILKRISHNAN @ RIJU, AGED 20 YEARS,
KRISHNA BHAVAN, PLAMOODU, POTHENCODE P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.J.HARIKUMAR
SRI.SUMAN CHAKRAVARTHY

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6098/2006

DATED THIS THE 7TH DAY OF NOVEMBER, 2006

O R D E R

The petitioner is the second accused in crime No.281/2006 of Kazhakuttom police station, for the offence punishable under Sections 406, 366A and 376 IPC read with Section 34 IPC. He is before this Court praying for a pre-arrest order.

2. The prosecution submits that the defacto complainant, a 17 year old girl, was taken to Kottarakkara Temple in an auto rickshaw of the petitioner and the first accused married her, according to the Hindu rights in that temple, on 3.6.2006. However, after a few days, the first wife and child of the first accused came to the defacto complainant. Then alone she came to know that the first accused was already married and having a child. Therefore, she made the complaint to the police, who registered the crime.

3. After hearing both sides, I direct the petitioner,

the second accused, to surrender before the Investigating Officer of Kazhakuttam Police Station, on 13.11.2006 at 10.00 a.m.

4. The Investigating Officer shall interrogate the petitioner and thereafter, produce him before the Court below, according to the law.

5. On production of the petitioner, the learned Magistrate shall allow him to be on bail, imposing such conditions, as are deemed necessary.

6. The petitioner shall report before the Investigating Officer, as and when required, till the completion of the investigation.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs